

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Servants - Commercial Taxes Department - Surprise Check conducted over the Integrated Check Post of Commercial Tax Department, Purushottapuram, Ichapuram Mandal, Srikakulam District on 25-03-2015 - Allegations of Corruption - Initiation of Disciplinary Proceedings against Sri Udatha Srinivasulu, DCTO, CT Dept., Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.749

**Dated:14-09-2020
Read the following:**

1. From DG, ACB, A.P, Lr.C.No.61/DES-VSK/2015, dated:23-02-2017.
2. G.O.Ms.No.266, Revenue (Vig.II) Department, dt.14-09-2020.

ORDER :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Udatha Srinivasulu, Deputy Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Udatha Srinivasulu, Deputy Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Udatha Srinivasulu, Deputy Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Udatha Srinivasulu, Deputy Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another

person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

Sri Udatha Srinivasulu, Deputy Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District (w.e, Annexures-I to IV) through the Chief Commissioner of State Tax, Andhra Pradesh, Eedupugallu, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Chief Commissioner of State Tax, Andhra Pradesh, Eedupugallu, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Deputy Commissioner, Commercial Taxes, Srikakulam District.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE- I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI UDATHA SRINIVASULU, DEPUTY COMMERCIAL TAX OFFICER, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC. NO. 2/SC-ACB/SKL/ 2015 SRIKAKULAM RANGE.

That Sri Udatha Srinivasulu, Deputy Commercial Tax Officer, Integrated check post, Ichapuram joined in Government Service on 08.01.2001 as Asst., Commercial Tax Officer in Commercial Taxes Department. He was promoted as DCTO on 05.01.2009 and worked as such at Vizianagaram, Visakhapatnam and Srikakulam Dist. Later he was transferred to integrated check Post, Purushottapuram, Ichapuram and worked as such from 09.02.2015 and committed the following grave misconduct in as much as.

CHARGE-01:-

That Sri Udatha Srinivasulu, while working as Deputy Commercial Tax Officer did not attend his duties from 21.03.2015 to 24.03.2015 without sanctioning of leave by the Administrative Officer, Integrated Check Post, Purushottauram.

Thus Sri Udatha Srinivasulu, Deputy Commercial Tax Officer by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. servant and thereby contravened Rule 3(1) (2) & 4(i) of APCS (Conduct) Rules, 1964.

**RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI UDATHA SRINIVASULU, DEPUTY COMMERCIAL TAX OFFICER, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO, 2/SC-ACB/SKL/2015 SRIKAKULAM RANGE.

That Sri Udatha Srinivasulu, Deputy Commercial Tax Officer, integrated check post, Ichapuram is a native of Nellore. He joined in Government Service on 08.01.2001 as Asst., Commercial Tax Officer in Commercial Taxes Department. He was promoted as DCTO on 05.01.2009 and worked as such at Vizianagaram, Visakhapatnam and Srikakulam Dist. Later he was transferred to integrated check Post, Purushottapuram, Ichapuram and worked as such from 09.02.2015. His basic pay is Rs. 20,680/- and he is attaining superannuation on 30.06.2038. Herein after he is referred to as Govt. Servant.

FACTS AND EVIDENCE:-

Brief facts are that on receipt of credible information that the employees of Integrated Check Post, Purushottapuram (Ichapuram), Srikakulam District were indulging in corrupt practices habitually by collecting illegal gratifications directly and also through private persons by abusing their official positions from the crew members/owners of the vehicles, whose vehicles are passing through the checkpost, without conducting physical verification of the vehicles and goods being transported and connected records of the vehicles and not collecting authorized fees/tax dues and fines for the violations from the owners and crew members of the vehicles and causing huge loss to the Govt. exchequer for their personal gain, the DSP, ACB, Srikakulam Range organized surprise check on the Check Post in the presence of mediators with the assistance of officers and staff of ACB, Srikakulam, Vizianagaram and Dist. Armed Reserve, Srikakulam District on the intervening night of 24/25.03.2015 and the mediators prepared the proceedings from 23.15 hrs to 24.03.2015 to 07.30 hrs on 25.03.2015.

As per the directions of the DSP the ACTO Sri D. Prakasa Rao, produced the records that are maintained in the Integrated Check Post by the Commercial Tax Department and the Transport Department. The DSP perused the registers, on verification of Attendance Register, maintained for all the staff of the check post for the month of March, 2015 it is found that the DCTO U.Srinivasulu did not attend office on 21.03.2015 to 24.03.2015. His CL application was found in the Attendance register applying for one day CL, but the dates were mentioned for 21 to 24 with corrections without mentioning the month and year. In the CL register and attendance register also there are no entries.

The original attendance register along with CL applications, Duty roaster sheets for the month of March, Duty Register and Personal Cash Declaration register were seized by the DSP, ACB for the purpose of further enquiry.

Thus Government servant by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. servant and thereby contravened Rule 3(1) (2) & 4(i) of APCS (Conduct) Rules, 1964.

The Govt. Servant has therefore rendered herself liable for regular departmental action.

**RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI UDATHA SRINIVASULU, DEPUTY COMMERCIAL TAX OFFICER, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO, 2/SC-ACB /SKL,/ 2015 SRIKAKULAM RANGE.

1.	Original mediators report dated 24/25-03-2015 from 2300 hrs to 0730 hrs at the Integrated check post, Ichapuram.
2.	Attendance register along with CL application of U. Srinivasulu.
3.	Duty register.
4.	Duty Roaster Sheets.
5.	CL register of Integrated Check Post, Ichapuram for the year 2015.

**RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI UDATHA SRINIVASULU, DEPUTY COMMERCIAL TAX OFFICER, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO, 2/SC-ACB /SKL,/ 2015 SRIKAKULAM RANGE.

1.	Sri Pusarla Rajesh, S/o late Ramarao, aged 35 years, Sub Treasury Officer, Divisional Sub Treasury, Srikakulam. R/o Plot No. 12, Near Sal Baba Temple, Visakha B Colony, Srikakulam.
2.	Vijay Bhaskar Ratho, S/o Gowri Charan Ratho, Senior Accountant, District Treasury, Srikakulam. R/o MIG 446, Old APHB Colony, Near Santhoshimatha Temple, Srikakulam. They speak about their presence as official mediators at the time of surprise check conducted on 24/25-03-2015 from 2300 hrs on 24.03.2015 to 0730 hrs on 25.03.2015 at Integrated Check Post Purushottapuram, Itchapuram and observation of happenings at the check post and preparation of proceedings etc facts.
3.	Smt. R. Anasuya, Administrative Officer, Integrated Check Post, Ichapuram. She speaks about the maintenance of Attendance register and CL register and not sanctioning of leave by her.
4.	Sri. Dananala Prakasharao S/o late Apparao, 54 yrs, ACTO, Integrated Check Post, Ichapuram. He speaks about his presence at the time of surprise check and absence of Sri. D. Rambabu, DCTO.
5.	Sri D. Ramesh, Inspector, ACB, Vizianagaram Range.
6.	Sri S. Laxmoji, Inspector, ACB, Vizianagaram Range. The witnesses 4 and 5 speaks to the facts of their assisting to DSP, ACB, Srikakulam Range in the surprise check, conducted on 24/25-03-2015 on the Integrated Check Post, Purushottapuram, Ichapuram and their observation in disguise during the surprise check at commercial tax counters, Agricultural market committee counter, transport counter and collection of mamools from the transport drivers and etc facts.
7.	Sri. Ch. Laxmipathi, Deputy Supdt. of Police, ACB, Srikakulam Range. He speaks to the facts of his supervision of surprise check conducted on the Integrated Check Post, Ichapuram from 2300 hrs on 24.03.2015 to 0730 hrs on 25.03.2015 and about the collection of mamools by the officials of check post from the transport drivers, seizure of amount and relevant documents and registers during the proceedings etc., facts.
8.	Sri. K. Ranga Raju, Deputy Supdt. of Police, ACB, Srikakulam Range. He speaks to the facts of his supervision of surprise check conducted on the Integrated Check Post, Ichapuram from 2300 hrs on 24.03.2015 to 0730 hrs on 25.03.2015 and about the collection of mamools by the officials of check post from the transport drivers, seizure of amount and relevant documents and registers during the proceedings etc., facts.

**RAJAT BHARGAVA
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//FORWARDED:: BY ORDER//

SECTION OFFICER